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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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9 Amy Ann Thomas,

No. CV-15-00156-TUC-RCC

10 Plaintiff,

ORDER

11 v.

12 Carolyn W. Colvin,

13 Defendant.

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15 Pending before the court is Plaintiff's application to proceed in forma pauperis
16 (Doc. 2) and Magistrate Judge Leslie A. Bowman's Report and Recommendation (R &
17 R) (Doc. 10). The Court accepts and adopts Judge Bowman's R & R (Doc. 10) as
18 findings of fact and conclusions of law of this Court.

19 The duties of the district court in connection with a R & R are set forth in Rule 72
20 of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). The district court
21 may "accept, reject, or modify the recommended disposition; receive further evidence; or
22 return the matter to the magistrate judge with instructions." Fed. R. Civ. P. 72(b)(3); 28
23 U.S.C. § 636(b)(1). Where the parties object to an R & R, "[a] judge of the [district] court
24 shall make a de novo determination of those portions of the [R & R] to which objection is
25 made." 28 U.S.C. § 636(b)(1); *see Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). When
26 no objection is filed, the district court need not review the R & R de novo. *Wang v.*
27 *Masaitis*, 416 F.3d 992, 1000 n. 13 (9th Cir.2005); *United States v. Reyna-Tapia*, 328
28 F.3d 1114, 1121-22 (9th Cir. 2003) (en banc). Therefore to the extent that no objection

1 has been made, arguments to the contrary have been waived. *McCall v. Andrus*, 628 F.2d
2 1185, 1187 (9th Cir. 1980) (failure to object to Magistrate's report waives right to do so
3 on appeal); *see also*, Advisory Committee Notes to Fed.R.Civ.P. 72 (citing *Campbell v.*
4 *United States Dist. Court*, 501 F.2d 196, 206 (9th Cir. 1974) (when no timely objection is
5 filed, the court need only satisfy itself that there is no clear error on the face of the record
6 in order to accept the recommendation)).

7 Here, the parties have not objected to the R & R (Doc. 10). This Court considers
8 Judge Bowman's R & R to be thorough and well-reasoned. After review of the record,
9 the Court will adopt the R & R of Magistrate Judge Bowman (Doc. 10). Accordingly,

10 **IT IS ORDERED** that Magistrate Judge Leslie A. Bowman's Report and
11 Recommendation (Doc. 10) is **accepted** and **adopted**.

12 **IT IS FURTHER ORDERED** that Plaintiff's application to proceed in forma
13 pauperis (Doc. 2) is **denied**. Within **30 days** of the date this Order is filed, Plaintiff must
14 pay the filing fee. If Plaintiff fails to pay the filing fee within 30 days, the Clerk of the
15 Court must enter judgment of dismissal of this action without prejudice and without
16 further notice to Plaintiff.

17 This matter will remain referred to Judge Bowman for the remaining pretrial
18 proceedings in accordance with the provisions of 28 U.S.C. § 636(b)(1), Fed. R. Civ. P.
19 72, and LRCiv 72.1, and 72.2 of the Rules of Practice of the United States District Court
20 for the District of Arizona.

21 Dated this 24th day of June, 2015.

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Raner C. Collins
Chief United States District Judge